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4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA

6 * * *

7 CHARLES N. BELSSNER,

8 Plaintiff(s),

9 v.

10 LAS VEGAS METROPOLITAN POLICE
11 DEPARTMENT,

12 Defendant(s).

Case No. 2:17-CV-2016 JCM (EJY)

ORDER

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14 Presently before the court is Magistrate Judge Foley's report and recommendation
15 ("R&R"). (ECF No. 8). No objections have been filed and the time to do so has passed.

16 Judge Foley recommends dismissing *pro se* plaintiff Charles Belssner's complaint for
17 failure to file an amended complaint. (ECF No. 8). The court screened plaintiff's complaint,
18 found that he failed to state a valid claim, and instructed plaintiff to file an amended complaint
19 before August 2, 2018. (ECF No. 4). Plaintiff filed an amended complaint and the court found
20 he once again failed to state a valid claim. (ECF No. 7). Plaintiff was warned that failure to file
21 another amended complaint would result in a recommendation for dismissal and plaintiff has not
22 filed anything further in the case.

23 This court "may accept, reject, or modify, in whole or in part, the findings or
24 recommendations made by the magistrate." 28 U.S.C. § 636(b)(1). Where a party timely objects
25 to a magistrate judge's report and recommendation, then the court is required to "make a de novo
26 determination of those portions of the [report and recommendation] to which objection is made."
27 28 U.S.C. § 636(b)(1).
28

Where a party fails to object, however, the court is not required to conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate judge’s report and recommendation where no objections have been filed. *See United States v. Reyna-Tapia*, 328 F.3d 1114 (9th Cir. 2003) (disregarding the standard of review employed by the district court when reviewing a report and recommendation to which no objections were made).

Nevertheless, this court conducted a *de novo* review to determine whether to adopt the recommendation of the magistrate judge. Upon reviewing the recommendation and attendant circumstances, this court finds good cause appears to adopt the magistrate judge's findings in full.

Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, and DECREED that Judge Foley's R&R (ECF No. 8) be, and the same hereby is, ADOPTED.

IT IS FURTHER ORDERED that plaintiff's complaint is hereby DISMISSED without prejudice.

The clerk is instructed to enter judgment and close the case accordingly.

DATED March 16, 2020.

James C. Mahan
UNITED STATES DISTRICT JUDGE